

PITTMAN-ROBERTSON FUNDING

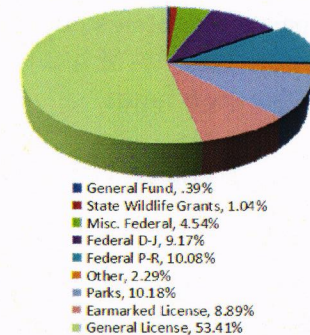
How much P-R funding does Montana receive?

Prior to 2009, the 5-year average of P-R funding received by Montana was \$6.65 million. The 5-year average for 2009-2013 is \$11.1 million, or approximately 4.6 million additional dollars per year. This amounts to about 10% of the Montana Department of Fish, Wildlife, and Parks overall budget.

As required by federal law, the United States Department of the Interior must review and approve states' plans for use of P-R funding. (16 U.S.C. 669e)

P-R funds may be used for up to 75% of a program's cost with the state providing the other 25%.

FWP Funding Sources, FY 2014



This brochure is provided by the Legislative Environmental Quality Council as a summary document and is not a substitute for complete laws and regulations. The brochure reflects federal and state laws as of October 1, 2013.

For more information:

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www.fwp.mt.gov

United States Fish and Wildlife Service 585
Shepard Way, Suite 1
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Code of Federal Regulations
Title 50, Chapter 1, Subchapter F, Part 80
www.ecfr.gov

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ENVIRONMENTAL QUALITY
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Exhibit 15

What is Pittman-Robertson (P-R) funding?

The Pittman-Robertson Federal Aid in Wildlife Restoration Act was passed by Congress and signed into law by President Franklin D. Roosevelt in 1937. It took revenue from a pre-existing excise tax on firearms and ammunition to provide grants to state, commonwealth, and territorial fish and wildlife agencies to restore, conserve, manage, and enhance wild birds and mammals and their habitat.

Current-day P-R funding is generated by an excise tax on the sale of bows, arrows, archery equipment, sporting firearms, ammunition, handguns, pistols, and revolvers. States must fulfill certain requirements to receive P-R grants, including a condition that revenue from the sale of state hunting licenses not be used by anyone other than that fish and wildlife agency.

How is P-R funding distributed?

P-R funds are annually apportioned according to a formula prescribed by the Act:

- ⊕ 50% based on land area of the state, commonwealth, or territory;
- ⊕ 50% based on the number of paid hunting license holders in the state, commonwealth, or territory;
- ⊕ No state may receive more than 5% or less than 0.5% of the total apportionment;
- ⊕ Grants for hunter education and safety programs are based on a state's population. No state may receive more than 3% or less than 1% of the available hunter education funds.

How can the funding be used?

Once distributed, P-R funds must be obligated by the state within 2 years. After that time, unobligated balances revert to the United States Fish and Wildlife Service.

P-R funds may be used to:

- ⊕ restore and manage wildlife for the benefit of the public;
- ⊕ conduct research on the problems of managing wildlife and its habitat if necessary to administer wildlife resources efficiently;
- ⊕ obtain data to guide and direct the regulation of hunting;
- ⊕ acquire real property suitable or capable of being made suitable for wildlife habitat or public access for hunting or other wildlife-oriented recreation;
- ⊕ restore, rehabilitate, improve, or manage areas of lands or waters as wildlife habitat;
- ⊕ build structures or acquire equipment, goods, and services to restore, rehabilitate, improve, or manage areas of lands or waters as wildlife habitat or to provide public access for hunting or other wildlife-oriented recreation;
- ⊕ operate or maintain projects that the state fish and wildlife agency completed under the Act or facilities that the agency acquired or constructed with funds

other than those authorized under the Act, if these facilities are necessary to carry out activities authorized by the Act;

- ⊕ coordinate grants in the wildlife restoration program and related programs;
- ⊕ teach and enhance hunter education, safety, and recruitment programs; and
- ⊕ construct, operate, or maintain firearm and archery ranges for public use.

How does Montana qualify for P-R funding?

States, commonwealths, or territories must:

- ⊕ notify the Secretary of the Interior of the desire to participate annually. The state, commonwealth, or territorial fish and wildlife Director must furnish a certification of the number of paid hunting license holders.
- ⊕ pass assent legislation to the provisions of the Act for conservation of wildlife that includes a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of the fish and wildlife agency.

"87-1-708, MCA. Assent to Pittman-Robertson Act -- authority of department. (1) The congress of the United States having passed an act which was approved on September 2, 1937, and which is known as 50 Federal Statutes 917 of the acts of congress, wherein it is, among other things, provided that "no money apportioned under this chapter to any state shall be expended therein until its legislature or other state agency authorized by the state constitution to make laws governing the conservation of wildlife shall have assented to the provisions of this chapter and shall have passed laws for the conservation of wildlife, which shall include a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of said department", and since the moneys referred to in the act of congress are collected in part from the hunters of this state and will not be returned to the state of Montana except the state of Montana does assent to the act, now, therefore, the state of Montana does assent to the provisions of said act of congress which is commonly known as the Pittman-Robertson bill..."

DINGELL-JOHNSON FUNDING

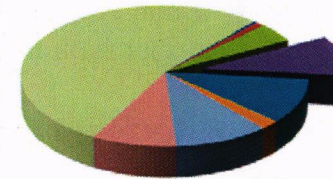
How much D-J funding does Montana receive?

Between 2010 and 2014, Montana received an average of \$8.4 million in D-J funding per year. This represents just under 10% of the Montana Department of Fish, Wildlife, and Parks' overall budget. However, in that same 5-year period, Montana's apportionment of D-J funding dropped by approximately 22% in 2014 compared to 2010.

As required by federal law, the United States Department of the Interior must review and approve states' plans for use of D-J funding. (16 U.S.C. 777e)

D-J funds may be used for up to 75% of a program's cost with the state providing the other 25%.

FWP FUNDING SOURCES, FY2015



■ General Fund, .39%
■ State Wildlife Grants, 1.03%
■ Misc. Federal, 4.51%
■ Federal D-J, 9.35%
■ Federal P-R, 10.22%
■ Other, 2.03%
■ Parks, 10.12%
■ Earmarked License, 8.97%
■ General License, 53.38%

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DINGELL-JOHNSON FUNDING

What is Dingell-Johnson (D-J) funding?

The Federal Aid in Sport Fish Restoration Act, commonly known as the Dingell-Johnson Act, was passed by Congress in 1950. Modeled after the Federal Aid in Wildlife Restoration Act, Dingell-Johnson uses excise taxes on sport fishing equipment, import duties on fishing tackle, yachts, and pleasure craft, and a portion of the gasoline fuel tax attributed to small engines and motorboats to provide grants to state fish and wildlife agencies to restore, conserve, manage, and enhance sport fish and their habitat. (Sport fish are defined as aquatic, gill-breathing, vertebrate animals, bearing paired fins, and having material value for sport or recreation.)

States must fulfill certain requirements to receive D-J grants, including a condition that revenue from the sale of state fishing licenses not be used by anyone other than that fish and wildlife agency.

How is D-J funding distributed?

Of the excise taxes collected under Dingell-Johnson, 57% of the available balance is annually apportioned to the states as follows:

- 40% based on land area of the state, including coastal and Great Lakes waters;
- 60% based on the number of paid fishing license holders in the state;
- No state may receive more than 5% or less than 1% of the total apportionment.

How can the funding be used?

Once distributed, D-J funds must be obligated by the state within 2 years. After that time, unobligated balances revert to the United States Fish and Wildlife Service.

D-J funds may be used to:

- restore and manage sport fish for the benefit of the public;
- conduct research on the problems of managing sport fish and their habitat if necessary to administer resources efficiently;
- obtain data to guide and direct the regulation of fishing;
- develop, adopt, and evaluate plans to restock sport fish and forage fish;
- stock fish for recreational purposes;
- acquire real property suitable or capable of being made suitable for sport fish habitat, a buffer to protect habitat, or public access for sport fishing;
- restore, rehabilitate, improve, or manage aquatic areas for sport fish habitat or land for buffers to protect habitat;
- build structures or acquire equipment, goods, and services to restore, rehabilitate, or improve aquatic habitat for sport fish or land as a buffer to protect habitat or to provide public access for sport fishing;
- construct, renovate, operate, or maintain pumpout and dump stations;

- operate or maintain projects that the state fish and wildlife agency completed under the Act or facilities that the agency acquired or constructed with funds other than those authorized under the Act if these facilities are necessary to carry out activities authorized by the Act;
- coordinate grants in the sport fish restoration program and related programs and subprograms, including recreational boating access, aquatic resource education, and outreach and communications.

D-J funds may not be used to manage nongame species.

How does Montana qualify for D-J funding?

To qualify, states must:

- furnish a certification of the number of paid fishing license holders;
- pass assent legislation to the provisions of the Act for conservation of fish that includes a prohibition against the diversion of license fees paid by anglers for any other purpose than the administration of the fish and wildlife agency.

"87-1-701. Assent to Dingell-Johnson Act. The congress of the United States passed an act that was approved on August 9, 1950, known as the Dingell-Johnson Act, Public Law 681, 81st congress, chapter 658, 2nd session, which provides, among other things, that "No money apportioned under this Act to any State, except as hereinafter provided, shall be expended therein until its legislature, or other State agency authorized by the State constitution to make laws governing the conservation of fish, shall have assented to the provisions of this Act and shall have passed laws for the conservation of fish, which shall include a prohibition against the diversion of license fees paid by fishermen for any other purpose than the administration of said State fish and game department, except that, until the final adjournment of the first regular session of the legislature held after passage of this Act, the assent of the governor of the State shall be sufficient." The money referred to in the Dingell-Johnson Act is collected in part from the anglers of the state of Montana and will not be returned to the state unless the state assents to the Dingell-Johnson Act. Therefore, the state of Montana assents to the Dingell-Johnson Act..."